

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHN A. ABRAHAM, M.D.**

*Plaintiff,*

v.

**THOMAS JEFFERSON UNIVERSITY  
HOSPITALS, INC.**

*Defendant.*

**No. 2:20-cv-02967-MMB**

**PLAINTIFF’S MOTION *IN LIMINE* TO PRECLUDE DEFENDANTS FROM  
INTRODUCING OR ARGUING EVIDENCE THAT DEFENDANTS  
REDACTED IN THE TITLE IX REPORT**

Plaintiff, John A. Abraham, M.D., by and through his counsel, The Beasley Firm, LLC, hereby files this Motion *in Limine* to Preclude Defendants from Introducing or Arguing Evidence that Defendants Redacted in the Title IX Report. In support of his Motion, Plaintiff incorporates the attached Memorandum of Law.

Defendant produced the Pietragallo Firm’s report (hereinafter “Report”) with numerous sections redacted. However, Defendant now references redacted sections of the Report, specifically regarding the Report’s purported conclusions; yet, simultaneously refuses to produce an unredacted version of the Report.

Such an outcome would be manifestly unfair, violating Plaintiffs’ rights to cross-examination. See, *Merisant Co. v. McNeil Nutritionals, LLC*, 242 F.R.D. 303, 311 (E.D. Pa. 2007). Moreover, the unfair prejudice, the danger of confusion, and the likelihood of misleading the jury resulting from Defendant arguing evidence that Defendant redacted far outweighs the absence of any probative value of Defendant’s vague references and is, thus, barred under Federal Rule of Evidence 403. Defendants do not get to use the attorney client privilege as both the shield and the sword by relying on the contents of redacted materials to defend against Plaintiff’s asserted claims.

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court grant Plaintiff's Motion *in Limine*.

Respectfully submitted,

**THE BEASLEY FIRM, LLC**

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